

HOUSE BILL 3104  
By Hood

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 9, Part 6, relative to safety belts.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-9-601(c), is amended by deleting the subsection in its entirety and substituting instead the following:

(c) As used in this section, unless specified otherwise,

(1) "Hayride" means a pleasure ride taken by a person or group of persons in the cargo area of a vehicle that is designed to carry hay or other agricultural produce;

(2) "Field" means a piece of cleared land for raising crops or pasturing livestock;

(3) "Operator" means the person who is driving, operating, or in physical control of a vehicle;

(4) "Parade" means an organized procession or march authorized by a governmental permit;

(5) "Passenger car" or "passenger motor vehicle" means any motor vehicle with a manufacturer's gross vehicle weight rating of eight thousand five hundred pounds (8,500 lbs.) or less that is not used as a public or livery conveyance for passengers. "Passenger car" or "passenger motor vehicle" does not apply to motor vehicles which are not required by federal law to be equipped with safety belts;

(6) "Safety belt" means a system of such type and manner as is approved by the department of safety pursuant to § 55-9-601(b).

SECTION 2. Tennessee Code Annotated, Section 55-9-603(a), is amended by adding the following language as new, appropriately designated subdivisions:

(3) No motor vehicle operator shall allow a passenger to ride on or in any portion of a motor vehicle being driven in this state which is not a passenger seating position, including cargo-carrying areas of any truck, pickup truck, or trailer.

(4) No motor vehicle passenger may ride on or in any portion of a motor vehicle being driven in this state which is not a passenger seating position, including cargo-carrying areas of any truck, pickup truck, or trailer.

SECTION 3. Tennessee Code Annotated, Section 55-9-603(b)(1), is amended by deleting the subdivision in its entirety and substituting instead the following language:

(1) The provisions of this section shall apply to the operator and all passengers occupying the motor vehicle except for children meeting the standards of § 55-9-602.

SECTION 4. Tennessee Code Annotated, Section 55-9-603, is amended by deleting subsection (d) in its entirety, and substituting instead the following language:

(d)

(1) A violation of this section is a Class C misdemeanor. All of the proceeds from the fines imposed by this subsection shall be deposited in the state general fund with twenty dollars (\$20) of each fine designated for the exclusive use of the division of vocational rehabilitation to assist eligible handicapped individuals as defined in § 49-11-602(3) who have been severely injured in motor vehicle accidents.

(2) A person who violates this act shall be punished by a fine of at least fifty dollars (\$50.00) but not more than one hundred dollars (\$100).

(3) Notwithstanding any provision of law to the contrary, a motor vehicle operator who violates this act shall be assessed two (2) points pursuant to § 55-50-505.

SECTION 5. Tennessee Code Annotated, Section 55-9-603, is amended by deleting subsections (e), (f) and (g) in their entirety.

SECTION 6. Tennessee Code Annotated, Section 55-9-603(h), is amended by adding the following as new, appropriately designated subdivisions:

(6) Motor vehicles that are not required to be equipped with seat belts by Federal Motor Vehicle Safety Standard 208 (49 CFR § 571.208) as it may be amended from time to time;

(7) A vehicle in use in a parade if operated at less than 15 mph;

(8) A vehicle in use in a hayride if operated at less than 15 mph; or

(9) A vehicle crossing a road or highway from one field to another if operated at less than 15 mph.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it